## AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the Application:

## Listing of the Claims

1. (Currently amended): A process for reducing the sulfur and nitrogen content of a distillate feedstock to produce refinery transportation fuel or blending components for refinery transportation fuel wherein the feedstock contains heteroaromatic sulfur-containing and nitrogen-containing organic impurities which process comprises:

(a) Contacting the feedstock with an oxygen-containing gas in an oxidation zone at oxidation conditions in the presence of an oxidation catalyst comprising at least one active Group VIII metal present in an amount ranging from about 4 percent to about 50 percent based on the total catalyst weight selected from the group consisting of the *d*-transition elements in the Periodic Table having atomic number from 21 to 30 inclusive, and a basic support selected from the group consisting of alkali oxides and alkaline earth oxides to convert the sulfur and nitrogen-containing organic impurities to oxidized sulfur and nitrogen-containing compounds; and

(b) Separating a portion of the oxidized sulfur and nitrogen-containing compounds from the oxidation zone effluent as by distillation to a cut point temperature by which 90 percent of the sulfur-containing compounds in the feedstock would boil ~~and~~ thereby rejecting a portion of the oxidized sulfur compounds as residue, and recover a distillate effluent having a reduced amount of the

oxidized sulfur and nitrogen-containing compounds and a TAN number of less than about 2.0 mg KOH/g.

2. (previously presented): The process of claim 1 wherein the Group VIII metal is cobalt and the basic support is member of the group consisting of magnesium oxide and calcium oxide.

3 to 8 inclusive (canceled)

9. (original): The process of claim 1 wherein the Group VIII metal is cobalt and the basic support is magnesium oxide.

10. (original): The process of claim 9 wherein the Group VIII metal is present in an amount ranging from about 4 wt. % to about 12 wt. %.

11. (Currently amended): The process of claim 1 [[10]] wherein the distillation cut point is such that the distillate effluent possesses a sulfur content of less than about 5 ppm wt.

12. (Currently amended): The process of claim 1 [[11]] wherein the distillation cut point is such that the distillate effluent possesses a nitrogen content of less than about 10 ppm wt.

13. (Previously presented): The process of claim 1 wherein the Group VIII metal is present in an amount ranging from about 4 percent to about 12 percent based on the total catalyst weight.

14. (Previously presented): The process of claim 13 wherein the Group VIII metal is cobalt and the basic support is member of the group consisting of magnesium oxide and calcium oxide.